

**REMARKS**

The Examiner's continued attention to the present application is noted with appreciation. The claims have been amended to place the present application in condition for allowance.

The Examiner rejected claims 22-68 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-373 of U.S. Patent No. 6,736,966 in view of Otsuka et al. The Examiner also rejected claims 22-68 under 35 U.S.C. 103(a) as being unpatentable over Otsuka et al. in view of Buckley et al. Such rejections are respectfully traversed, particularly as to the claims as amended. Applicant submits that certain of the prior pending dependent claims were not specifically examined, and that such claims are allowable over the prior art cited by the Examiner. None of the references cited, either alone or in combination, disclose an apparatus comprising a container which is removable from a base comprising an electrolytic cell (essentially prior dependent claims 33 and 50).

Accordingly, claim 22 has been amended to include the limitations of claims 32, 33, and 63. Claim 47 has been amended to include the limitations of claim 50 and claim 64. Claims 28, 30, and 31 have been canceled. Therefore, as amended, all claim limitations have not been taught or suggested by the combinations of the cited art, which is required for establishing *prima facie* obviousness per MPEP Section 2143.03.

The applicant therefore submits that the present application is in condition for allowance. Applicant notes that this paper is being filed within two months of the date of the referenced Final Office Action. Applicant therefore respectfully requests the issuance of an Advisory Action allowing the present application per MPEP Section 706.07(f)(D)(1). If the Examiner believes that another search is necessary, applicant requests that the finality of the above referenced action be withdrawn because the patentability of dependent claims 33 and 50 was not previously specifically addressed.

If any issues remain the Examiner is cordially invited to telephone the undersigned agent for Applicant at the telephone number listed below. Authorization is given to charge payment of any fees required to Deposit Acct. 13-4213.



Respectfully submitted,

By:

  
Philip D. Askenazy, Reg. No. 56,721  
Direct line: (505) 998-6132

PEACOCK, MYERS & ADAMS, P.C.  
Attorneys for Applicant(s)  
P.O. Box 26927  
Albuquerque, New Mexico 87125-6927

Telephone: (505) 998-1500  
Facsimile: (505) 243-2542

**Customer No. 005179**

G:\AMDS\Myox610 Spray Bottle AMD After Final.doc